

UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION

Washington, D.C. 20554

Localism Task Force

)

FCC Docket RM-10803

ADDITIONAL WRITTEN COMMENTS OF THE AMHERST ALLIANCE

THE AMHERST ALLIANCE is a citizens' advocacy group, founded in 1998, which supports Low Power Radio in particular and media reform in general. Amherst has been an active commenter in FCC Docket RM-10803 and many other FCC Dockets.

Representation Of Low Power Radio At The San Antonio Hearings

THE AMHERST ALLIANCE is pleased that the Localism Task Force has included the Executive Director of KOCZ-LP, a Low Power FM station in Louisiana, as a panelist at its San Antonio Hearings. Low Power Radio was completely unrepresented, despite a request from Amherst to participate, on the panels at the previous Task Force Hearings in Charlotte. Low Power Radio representation was also absent, despite repeated requests from Amherst to participate, from every single panel at every single official Hearing during the FCC's recent deliberations on media ownership.

In light of this pattern, we recognize that the selection of a panelist from KOCZ-LP is an historic step forward for the Commission.

We commend the Task Force, heartily, for its decision to open the door to the many voices within the Low Power Radio community.

Need For Further Low Power Radio Representation In The Future

At the same time, because the voices *are* so numerous, *and* so diverse, Amherst fervently urges the Task Force to include *at least* one representative of Low Power Radio at each of the four Hearings it has scheduled for the future.

In addition, since *currently licensed* Low Power Radio stations are all on the FM Band, we urge the Task Force to recruit at least one aspiring Low Power *AM* licensee and/or invite THE LPAM TEAM of Minnesota: the only *national* group for LPAM.

We further urge the Commission to include, among future panelists from the Low Power Radio community, at least one panelist from each of the two Low Power Radio groups with a *nationwide, community-wide perspective*: that is, THE AMHERST ALLIANCE and PROMETHEUS RADIO PROJECT.

Perhaps the June 2004 Hearings in Washington, D.C. would be the best venue for airing such nationwide, community-wide perspectives. However, while we cannot speak for Prometheus, Amherst would be willing to send a panelist to any location where Hearings will be held. Washington, D.C. and Portland, Maine would be the most convenient locations for us, while Rapid City, South Dakota would be the least convenient location, but we are willing to serve on any panel to which we are invited.

We stress that the Localism Task Force should continue to include *some* representatives of individual Low Power FM stations in its future panels. However, selecting *only* individual Low Power FM stations for representation may result in some distortion of the community's *nationwide, community-wide* agenda.

In short: If *only* the proverbial "trees" are examined, the proverbial "forest" may remain unseen. Therefore, it may well be *crucial* for the FCC to balance the parochial perspectives of individual Low Power FM stations with the perspectives of national Low Power Radio organizations.

To the very best of our knowledge, there are presently only *two* Low Power Radio organizations which can make a credible claim to *nationwide* membership and a *national* agenda. Those two organizations are the ones we have named already: THE AMHERST ALLIANCE, which is currently based in Connecticut, and PROMETHEUS RADIO PROJECT, which is currently based in Pennsylvania.

Key Differences Between THE AMHERST ALLIANCE And PROMETHEUS RADIO PROJECT

Because their constituencies within the Low Power Radio community are so different, it is important for *both* groups to be represented by panelists at one or more future Task Force Hearings. The key differences are as follows:

1. The current and aspiring broadcasters within THE AMHERST ALLIANCE generally favor -- or at least favor *allowing the option of* -- stations that are owned and/or managed by individuals. PROMETHEUS RADIO PROJECT favors limiting Low Power FM licenses *exclusively* to stations that are “owned” and managed by groups. In the words of MEDIA ACCESS PROJECT, a longtime ally of Prometheus, the Prometheus wing of the Low Power Radio community favors reserving *every single* Low Power FM license for “community-based and community-managed stations”. [Emphasis added] Amherst’s opposition to the current regulatory mandate for *group management* of *every single* Low Power Radio station, with absolutely *no* exceptions, is arguably the single most profound difference between Amherst and Prometheus.

2. As a closely related difference, current and aspiring broadcasters within THE AMHERST ALLIANCE generally favor -- or at least favor *allowing the option of* -- stations that can actually make modest profits, or at least air enough commercials to cover their costs. Our Members who have Low Power FM licenses are living lawfully within the restrictions that are currently imposed by the FCC, but most of them would prefer to have the freedom to sell air time. In addition, although there are Low Power FM licensees within Amherst, and also aspiring Low Power FM licensees within Amherst, who do not personally desire to air commercials, even these Members of Amherst generally oppose denying *others* the freedom to air commercials. By contrast, PROMETHEUS RADIO PROJECT, and its ally MEDIA ACCESS PROJECT, have consistently maintained that *every single* Low Power FM station *must* be *both* non-profit *and* 100% commercial-free.

3. The Amherst and Prometheus positions on these issues are *not* “mirror images” of each other. Amherst has never sought to exclude all non-profit and commercial-free stations from the Low Power Radio Service. Nor has Amherst ever sought to exclude all “community-based and community-managed” stations from the Low Power Radio Service. However, Prometheus and Media Access Project have consistently -- and, so far, successfully -- sought to exclude *Amherst’s* kind of radio station, and indeed *any* kind of station which is not “community-owned” *and* “community-managed” *and* non-profit *and* 100% commercial-free.

4. THE AMHERST ALLIANCE has been actively promoting establishment of a new Low Power *AM* Radio Service. We provided input (with mixed success) during the drafting of the LPAM Petition For Rulemaking by Fred Baumgartner, C.P.B.E. of Colorado. (Placed in this Docket by Fred Baumgartner and Nickolaus E. Leggett on October 22, 2003) More recently, we started up THE LPAM TEAM -- a semi-autonomous affiliate, chaired by Kyle Drake of Minnesota -- to simultaneously support and improve the Baumgartner proposal.

By contrast, we have, to date, seen no indication of any interest in LPAM by either PROMETHEUS RADIO PROJECT or its ally, MEDIA ACCESS PROJECT. At least for now, the Task Force must turn to Amherst's semi-autonomous affiliate, THE LPAM TEAM, or to THE AMHERST ALLIANCE itself, if it wants to hear a *nationwide* perspective on the case for Low Power AM.

Having said all this, Amherst adds that its differences with Prometheus are not as large as the common ground they share. On the most fundamental level, *both* groups strongly favor the preservation and expansion of the Low Power FM Radio Service -- and *both* groups strongly oppose the FCC's June 2003 decision to lift two of the three previously applicable caps on media ownership.

To put the matter in more philosophical and macrocosmic terms, *both* groups strongly favor reducing, dramatically, the current stranglehold on the public's airwaves by megacorporate capitalism. The two groups basically differ over which of those two words should be emphasized.

Most Members of Amherst see the primary problem in modern mass media as *megacorporate* capitalism. We favor some increase in "community-managed" and/or non-profit broadcasting -- but our primary prescription is adding more individuals, and more small businesses, to the airwaves.

By contrast, most Members of Prometheus appear to see the primary problem in mass media as megacorporate *capitalism*. They seem to favor, as the *only* legitimate alternative to megacorporate capitalist stations, stations that are not capitalist at all.

We do not question for one moment the right of Prometheus to adopt and advocate the viewpoint it does. Nor would we deny that Prometheus represents an older, and possibly larger, “wing” of the Low Power Radio community than we do.

Our sole concern is that the existence of two different “wings” might not be recognized by the Task Force. Therefore, we urge the Task Force *not* to assume that the views of PROMETHEUS RADIO PROJECT, or of its ally MEDIA ACCESS PROJECT, are automatically representative of the *entire* Low Power Radio community. They are certainly not representative of THE AMHERST ALLIANCE on the key issues we have mentioned.

If the Task Force, during the four Hearings which remain, recruits *at least* one representative from *each* of the two nationally active Low Power Radio organizations, it will gain from their separate presentations a balanced and comprehensive view of what the Low Power Radio community as a whole is thinking.

Conclusions

Once again, we heartily commend the Localism Task Force for recruiting a panelist from the Low Power Radio community to participate in its San Antonio Hearings.

For the reasons set forth herein, we urge the Task Force to ensure that panelists at the four future Task Force Hearings include:

(1) At least one panelist to present the *nationwide, community-wide* perspective of THE AMHERST ALLIANCE;

(2) At least one panelist to present the *nationwide, community-wide* perspective of PROMETHEUS RADIO PROJECT;

(3) At least one aspiring Low Power *AM* licensee -- *and/or* at least one panelist from THE LPAM TEAM, to present the *nationwide, community-wide* perspective of the only *national* group composed of aspiring LPAM broadcasters;

And

(4) At least one more current or aspiring Low Power *FM* licensee.

These minimum targets for Low Power Radio representation can be met if at least one “seat” is reserved for a Low Power Radio panelist at every future Task Force Hearing. Reserving *two* seats per Hearing would, of course, be even better.

Respectfully submitted,

Don Schellhardt, Esquire
President, THE AMHERST ALLIANCE
P.O. Box 186
Cheshire, Connecticut 06410
pioneerpath@hotmail.com
URL: www.amherstalliance.org
203/757-1790
“Backup”: 203/756-7310

Dated: _____
January 26, 2004